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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,952	03/03/2000	David Critz	04899-035001	7655

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EXAMINER

THANGAVELU, KANDASAMY

ART UNIT	PAPER NUMBER
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2123

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/517,952	Applicant(s) CRITZ ET AL.	
	Examiner Kandasamy Thangavelu	Art Unit 2123	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Attachment -A.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1,2,4-20,22-36 and 38-52.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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ATTACHMENT – A: ADVISORY ACTION

1. This communication is in response to the Applicants' Amendment dated June 9, 2004. Applicant's arguments filed on June 9, 2004 have been fully considered. Applicant's arguments, filed on June 9, 2004 under 35 U.S.C. 103 (a) are not persuasive.

Drawings

2. The drawings submitted on June 9, 2004 are accepted.

Arguments

3.1 As per the applicant's argument that "Young does not teach or suggest executing a simulation of the simulation model during the process of generating electronic notebooks; the reports are not generated during a simulation of the a simulation model", the Examiner respectfully disagrees. Young teaches simulation model (Page 280, CL1, Para 1, L5-7 and L15-16; Page 280, CL2, Para 3, L3-7; Page 281, CL1, Para 3, L2-6; the functions execute the partial differential equations and other mathematical models that simulate the system); and executing a simulation of a simulation model during the process of generating electronic notebooks and generating reports during a simulation of the simulation model (Page 282, CL2, Para 2, L1-4).

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3.2 As per the applicant's argument that "Young does not teach or suggest reporting components that bi-directionally communicate with a computing environment during the simulation of a simulation model", the Examiner respectfully disagrees. Young teaches reporting components that bi-directionally communicate with a computing environment during the simulation of a simulation model (Page 281, CL1, Para 3, L2-11; the kernel contains the functions which form the computing environment for simulation; there is communication between the computing environment and the notebooks); (Page 281, CL1, Para 7, L1-7; the documentation production is automatic; organize the information using a real computational model); (Page 282, CL2, Para 2, L1-4; provide a function to be used with a notebook cell; when the user clicks on the cell the function is invoked); and (Page 280, CL2, Para 2, L4-6; the documents are viewed in the windows, the visibility of which is controlled by the user).

3.3 As per the applicant's argument that "Weitz does not teach or suggest reporting components bi-directionally communicating with a computing environment during the simulation of a simulation model", the Examiner has used Young as reference which teaches reporting components bi-directionally communicating with a computing environment during the simulation of a simulation model, as explained in Paragraph 3.2 above.

3.4 As per the applicant's argument that "Young in view of Weitz does not teach or suggest that processing the reporting components includes requesting data from a simulator", the Examiner respectfully disagrees. Young teaches that processing the reporting components

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includes requesting data from a simulator (Page 281, CL1, Para 3, L2-11; Page 282, CL2, Para 2, L1-4).

3.5 As per the applicant's argument that "the Examiner cites a kernel and equates it with a simulator; the kernel implements a set of mathematical functions; Young does not teach or suggest that the kernel is a simulator or running a simulation of a simulation model", the Examiner respectfully disagrees. Young teaches that the kernel is a simulator or running a simulation of a simulation model (the kernel contains a set of functions of the mathematica system; Page 281, CL1, Para 3, L2-11); (the functions are executed when a notebook cell are to be active; Page 282, CL2, Para 2, L1-4); (reports are generated from the instances created by a run of the system (Page 280, CL1, Para 1, L15-16); and the functions are the numerical simulation models and include partial differential equations (Page 280, CL2, Para 3, L4-6).

3.6 As per the applicant's argument that "the combination of Lannert with Young in view of Weitz would change the principle of operation of Young as it would require Young to have the end user to directly communicate with a simulation system rather than the components comprising the electronic notebook", the Examiner respectfully disagrees. Young provides for communication between the user and the components of the simulation system (Page 281, CL1, Para 3, L2-11; Page 282, CL2, Para 2, L1-4).

3.7 As per the applicant's argument that "The proprietary structure of the development environment in Young significantly hinders the use of object oriented technologies; the

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combination of Lannert and Young in view of Weitz would create a hybrid system of proprietary structure and object oriented technologies that would increase the efforts in design and development”, the Examiner respectfully disagrees. Young provides for design and development, using object oriented technologies (Page 280, CL2, Para 2, L7-10; defines classes, attributes and inheritance and instantiation; the object system encoded).

3.8 As per the applicant’s argument that “Lannert describes using a spreadsheet such as Microsoft Excel to design a training simulation model; the spreadsheet is designed and constructed to support simulation modeling; the spreadsheet of Lannert is not a reporting component assembled to form a report”, the Examiner has not indicated that the spreadsheet of Lannert is a reporting component assembled to form a report; the Examiner has only indicated that the simulation data from the spreadsheet could be used as reporting components as used by Young (Page 280, CL1, Para 1, L10-16; Page 281, CL1, para7, L1-7; Page 282, CL2, Para 2, L1-4).

3.9 As per the applicant’s argument that “Skidmore is focused on incorporating existing tools without requiring the user to learn new tools; there is suggestion or motivation in the teachings of the references or in the knowledge of one of ordinary skill in the art, at the time of the claimed invention, to combine the Young and Skidmore references”, the Examiner respectfully disagrees. Skidmore teaches that processing the reporting components includes issuing commands to the computing environment to simulate the model (Page 6, Para 3), because that would allow the user to control execution and recording of the computations in the simulation model (Page 5,

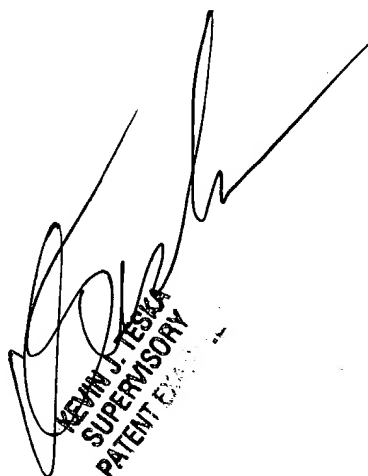
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Para 5) and as per Young, generating reports from the instances created by a run of the simulation system (Page 281, Col 1, Para 3).

4. In view of the above explanation, the request for reconsideration has been considered but is not persuasive and does not place the application in condition for allowance.

K. Thangavelu
Art Unit 2123
July 14, 2004



KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER

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